

**REMARKS**

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-38 are pending in the present application. Claims 1, 9 and 16 are the independent claims.

Claims 1, 9 and 16 have been amended. Support for the amendments can be found at least at, for example, page 13, lines 3-12. No new matter is believed to have been added.

Claims 1-38 stand rejected under the second paragraph of 35 U.S.C. § 112, as indefinite. Specifically, recitations in independent claims 1, 9, and 16 are allegedly indefinite. By the present Amendment, Applicant has amended independent claims 1, 9, and 16 in view of the Examiner's comments. Applicant submits that claims 1-38 now even more fully satisfy the requirements of the second paragraph of 35 U.S.C. § 112.

Accordingly, favorable consideration and withdrawal of the rejection of independent claims 1-38 are respectfully requested.

Claims 1-22 and 24-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,484,178 (Bence, Jr., et al.) in view of U.S. Patent No. 6,594,664 (Estrada et al.). Claim 23 stands under 35 U.S.C. § 103(a) as being unpatentable over Bence, Jr., et al. in view of Estrada et al. in further view of Japanese Patent Document No. 9282209A (Yuichi). All rejections are respectfully traversed.

Independent claim 1 recites, inter alia, a specifying control unit implementing a specifying module which performs two different operations, a first operation in which the specifying module firstly selects the data file and secondly drags the selected data file to the format file, and a second operation in which the specifying module firstly selects the format file and secondly drags the selected format file to the data file.

Independent claims 9 and 16 recite similar features in method and readable-by-computer medium forms, respectively.

By the aforementioned features, two different operations are performed in the specifying. Thus, operational efficiencies can be realized.

However, Applicant respectfully submits that none of the asserted citations teaches or suggests at least the aforementioned features of independent claims 1, 9, and 16. Thus, without conceding the propriety of the asserted combinations, it is respectfully submitted that the

asserted combinations are likewise deficient.

As the Office Action acknowledges, Bence, Jr., et al. does not teach selecting and dragging any one of a data or format file to the other. (Office Action, page 4). Nonetheless, the Office Action rejected this claim contending that Estrada et al. discusses dragging and dropping a data file to a format file. (Office Action, page 4). While not conceding this contention, it is respectfully submitted that neither Bence, Jr. et al. nor Estrada et al. teaches or suggests the aforementioned features of independent claims 1, 9, and 16. Rather, at best, the combination of Bence, Jr., et al. and Estrada et al. teaches or suggests only single operation specifying. Thus, the asserted combination cannot render independent claims 1, 9, and 16 unpatentable.

Accordingly, Applicant respectfully requests favorable reconsideration and withdrawal of the rejection of independent claims 1, 9, and 16 under 35 U.S.C. § 103.

The tertiary citation to Yuichi relates to a file setting method and is cited by the Office Action for its teaching of displaying files as a list. (Office Action, page 7). However, Applicant respectfully submits that Yuichi adds nothing that would remedy the aforementioned deficiency in the teachings or suggestions of Bence, Jr. et al. and Estrada et al.

Accordingly, Applicant respectfully requests favorable reconsideration and withdrawal of the rejection of claim 23 under 35 U.S.C. § 103.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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